

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-12346 MLW

MARLOW WILLIAMS, SR.,  
Plaintiff.

v.

GREG LONG, OTIS  
HAREWOOD, GREG LONG,  
BRIAN ALBERT, EDWARD  
MEADE, JOHN CONROY, AND  
THE CITY OF BOSTON,  
Defendants.

ANSWER OF THE DEFENDANT GREG LONG TO  
PLAINTIFF'S COMPLAINT, WITH AFFIRMATIVE DEFENSES AND JURY DEMAND

NOW COMES Greg Long, Defendant in the above-entitled action, and hereby answers the Plaintiff's Complaint ("Complaint"), as follows:

PARTIES

1. Defendant Greg Long states that he is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph one of the Complaint, and therefore, neither admits nor denies said allegations.
2. Defendant Greg Long admits the allegations contained in Paragraph two of the Complaint.
3. Defendant Greg Long admits the allegations contained in Paragraph three of the Complaint.
4. Defendant Greg Long admits the allegations contained in Paragraph four of the Complaint.

5. Defendant Greg Long admits the allegations contained in Paragraph five of the Complaint.

6. Defendant Greg Long admits the allegations contained in Paragraph six of the Complaint.

7. Defendant Greg Long admits the allegations contained in Paragraph seven of the Complaint.

8. Defendant Greg Long states that Paragraph eight of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations in Paragraph eight are denied.

COUNT I

Paragraphs 1-7 of Count I of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT II

Paragraphs 1-8 of Count II of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT III

Paragraphs 1-8 of Count III of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT IV

Paragraphs 1-7 of Count IV of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT V

Paragraphs 1-8 of Count V of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT VI

Paragraphs 1-8 of Count VI of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT VII

1. Defendant Greg Long states that Paragraph one of Count VII of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations contained in Paragraph one of Count VII are denied.

2. Defendant Greg Long denies the allegations contained in Paragraph two of Count VII of the Complaint.

3. Defendant Greg Long denies the allegations contained in Paragraph three of Count VII of the Complaint.

4. Defendant Greg Long denies the allegations contained in Paragraph four of Count VII of the Complaint.

5. Defendant Greg Long denies the allegations contained in Paragraph five of Count VII of the Complaint.

6. Defendant Greg Long states that Paragraph six of Count VII of the Complaint contains legal conclusions, and therefore no response is required.

7. Defendant Greg Long denies the allegations contained in Paragraph seven of Count VII of the Complaint.

COUNT VIII

1. Defendant Greg Long states that Paragraph one of Count VIII of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations contained in Paragraph one of Count VIII are denied.

2. Defendant Greg Long denies the allegations contained in Paragraph two of Count VIII of the Complaint.

3. Defendant Greg Long denies the allegations contained in Paragraph three of Count VIII of the Complaint.

4. Defendant Greg Long denies the allegations contained in Paragraph four of Count VIII of the Complaint.

5. Defendant Greg Long denies the allegations contained in Paragraph five of Count VIII of the Complaint.

6. Defendant Greg Long denies the allegations contained in Paragraph six of Count VIII of the Complaint.

7. Defendant Greg Long states that Paragraph seven of Count VIII of the Complaint contains legal conclusions, and therefore no response is required.

8. Defendant Greg Long denies the allegations contained in Paragraph eight of Count VIII of the Complaint.

COUNT IX

1. Defendant Greg Long states that Paragraph one of Count IX of the Complaint contains legal conclusions, and therefore no response is required. To the extent that an answer is required, the allegations contained in Paragraph one of Count IX are denied.

2. Defendant Greg Long denies the allegations contained in Paragraph two of Count IX of the Complaint.

3. Defendant Greg Long denies the allegations contained in Paragraph three of Count IX of the Complaint.

4. Defendant Greg Long denies the allegations contained in Paragraph four of Count IX of the Complaint.

5. Defendant Greg Long denies the allegations contained in Paragraph five of Count IX of the Complaint.

6. Defendant Greg Long denies the allegations contained in Paragraph six of Count IX of the Complaint.

7. Defendant Greg Long states that Paragraph seven of Count IX of the Complaint contains legal conclusions, and therefore no response is required.

8. Defendant Greg Long denies the allegations contained in Paragraph eight of Count IX of the Complaint.

COUNT X

Paragraphs 1-7 of Count X of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XI

Paragraphs 1-8 of Count XI of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XII

Paragraphs 1-8 of Count XII of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XIII

Paragraphs 1-7 of Count XIII of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XIV

Paragraphs 1-8 of Count XIV of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XV

Paragraphs 1-8 of Count XV of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XVI

Paragraphs 1-7 of Count XVI of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XVII

Paragraphs 1-8 of Count XVII of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XVIII

Paragraphs 1-8 of Count XVIII of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

COUNT XIX

Paragraphs 1-8 of Count XIX of the Complaint contain allegations against a Defendant other than Greg Long, and therefore no response from Defendant Greg Long is required.

**AFFIRMATIVE DEFENSES**

First Affirmative Defense

The Complaint fails to state a claim against Defendant Greg Long upon which relief may be granted.

Second Affirmative Defense

Defendant Greg Long states that there is no factual connection between any unconstitutional municipal custom, policy or practice and any alleged violation of the Plaintiff's constitutional rights.

Third Affirmative Defense

Defendant Greg Long states that at all relevant times, he acted in good faith and in accord with the Constitutions and laws of the United States and of the Commonwealth of Massachusetts.

Fourth Affirmative Defense

Defendant Greg Long states that the Plaintiff has not been deprived of any rights secured by either the Constitutions or the laws of the United States, or of the Commonwealth of Massachusetts.

*Fifth Affirmative Defense*

Defendant Greg Long states that the injury or damage alleged in Plaintiff's Complaint was neither caused nor proximately caused by him.

*Sixth Affirmative Defense*

Defendant Greg Long states that the Plaintiff, by his own acts, omissions, conduct and activities is estopped from asserting any claims against Defendant Greg Long.

*Seventh Affirmative Defense*

Defendant Greg Long states that the Complaint fails to state a claim entitling the Plaintiff to relief because he is entitled to qualified immunity.

*Eighth Affirmative Defense*

Defendant Greg Long states that the Complaint fails to state a claim entitling the Plaintiff to relief because the claim is barred under Heck v. Humphrey, 512 U.S. 477, 487 (1994).

**JURY CLAIM**

Defendant Greg Long demands a trial by jury on all claims.

Respectfully submitted,

DEFENDANT GREG LONG,  
Merita A. Hopkins  
Corporation Counsel  
By his attorneys:

/s/ Helen G. Litsas  
Helen G. Litsas, BBO #644848  
Thomas R. Donohue BBO #643483  
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11/2/05      /s/ Helen G. Litsas

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true copy of the above document was served upon the attorney of record for each party by mail/by hand/by fax.